

REMARKS

Claims 22-40 and 42-69 are pending in the Application. Claims 22-40, 42-66, 68, and 69 were rejected, and claim 67 was objected to in the Office action of January 3, 2011. Claims 60-69 have been amended. Claims 22, 47, and 60 are independent claims. Claims 23-40 and 42-46, 48-59, and 61-69 depend, respectively, from independent claims 22, 47, and 60. Applicants respectfully request reconsideration of claims 22-40, 42-66, 68, and 69, in view of the following remarks.

Applicants note that a goal of patent examination is to provide a prompt and complete examination of a patent application.

It is **essential** that patent applicants obtain a prompt yet complete examination of their applications. Under the principles of compact prosecution, each claim should be reviewed for compliance with every statutory requirement for patentability in the initial review of the application, even if one or more claims are found to be deficient with respect to some statutory requirement. Thus, USPTO personnel should state all reasons and bases for rejecting claims in the first Office action. Deficiencies should be explained clearly, particularly when they serve as a basis for a rejection. Whenever practicable, USPTO personnel should indicate how rejections may be overcome and how problems may be resolved. **A failure to follow this approach can lead to unnecessary delays in the prosecution of the application.**

M.P.E.P. § 2106(II) (emphasis added).

As such, the Applicants assume, based on the goals of patent examination noted above, that the current Office Action sets forth "all reasons and bases" for rejecting the claims.

Applicants respectfully submit that the pending claims are allowable over the cited art, for at least the reasons set forth below.

Amendments to the Specification

Applicants have amended the Specification as shown above to update information about related applications. Applicants respectfully submit that these amendments do not add new matter.

Amendments to the Claims

Claims 60-69 have been amended to change the preamble of each claim to read "non-transitory computer-readable storage" in place of "machine-readable storage," at the suggestion of the Office. See Office action at page 2. Applicants respectfully submit that these amendments do not add new matter.

Objections to Claims

Claim 67 was objected to as being dependent upon a rejected base claim, but was deemed allowable if rewritten in independent form including all limitations of the base claim and any intervening claims. Applicants appreciate recognition of the allowable subject matter of claim 67.

Rejections of Claims

Claims 22, 23, 27-29, 31-32, 34, 36, 45-49, 52-55, 57-61, 64-66, and 68-69 were rejected under 35 U.S.C. §102(e) as being anticipated by US 7,778,642 ("Ziv et al). Claims 24-26, 50-51, and 62-63 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ziv in view of US 5,729,544 ("Lev"). Claims 30, 44, and 56 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ziv in view of U.S. 5,526,353 ("Henley"). Claim 33, 37-40, and 43 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ziv in view of U.S. 5,604,737 ("Iwami"). Claim 35 was rejected under 35 U.S.C. §103(a) as being unpatentable over Ziv in view of U.S. 5,764,641 ("Barak"). Claim 42 was rejected under 35 U.S.C. §103(a) as being unpatentable over Ziv in view of US 5,774,854 ("Sharman"). Applicants respectfully traverse the rejections.

I. Ziv Does Not Anticipate Claims 22-25, 27, 29-34, 37-40, 43, 45-52, 54-63, 65, 68, And 69

Claims 22-25, 27, 29-34, 37-40, 43, 45-52, 54-63, 65, 68, and 69 were rejected under 35 U.S.C. §102(e) as being anticipated by Ziv. Applicants respectfully traverse the rejection.

With regard to the anticipation rejections, MPEP 2131 states, "[a] claim is anticipated only if **each and every element** as set forth in the claim is found, either expressly or inherently described, **in a single prior art reference.**" *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987) (emphasis added). "The **identical** invention must be shown in as complete detail as is contained in ... the claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989) (emphasis added). Further, "[t]he elements **must be arranged as required by the claim,** but this is not an *ipsissimis verbis* test, i.e., identity of terminology is not required." MPEP § 2131 (citing *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990) (emphasis added)).

With regard to independent claim 22, Applicants respectfully submit that claim 22 recites "[a] communication system controller comprising: interface circuitry for communicating, with an information transmission device, information requesting setup of a call and parameters for configuring the information transmission device, wherein the parameters for configuring the information transmission device comprise information specifically related to the conversion, by the information transmission device, of digitized voice information into an analog voice signal, and of an analog voice signal into digitized voice information; at least one processor operably coupled to the interface circuitry; and operational software executable by the at least one processor, the operational software causing the at least one processor to produce the parameters for configuring the information transmission device based upon the information requesting setup of a call, the information transmission device thereby communicatively coupling one of a plurality of communication networks to another of the plurality of communication networks." Applicants respectfully submit that claims 47 and 60 recite similar features. Applicants respectfully submit that the Ziv does not teach, suggest, or disclose each and every element of Applicants' claim 22, as required by M.P.E.P. §2131, and that claim 22 is allowable over Ziv.

The Office rejects Applicants' claim 22 at pages 3-4 of the Office action stating:

Regarding claim 22, Ziv et al. disclose a communication system controller comprising: interface circuitry for communicating, with an information transmission device, information requesting setup of a call (col. 8 lines 26-27; CCP signals the system 101 during call set up requested by a subscriber to initiate a telephone call) and parameters for configuring the information transmission device, wherein the parameters for configuring the information transmission device comprise information specifically related to the conversion, by the information transmission device, of digitized voice information into an analog voice signal, and of an analog voice signal into digitized voice information (col. 7 lines 54-63; CCP configures service options element 210 after the determination of the type of the system and its processing capabilities (col. 6 lines 47-65); the element 210 is configured for conversion between vocoded data and tone (col. 5 lines 56-59)); at least one processor operably coupled to the interface circuitry (col. 7 lines 32-34; CCP is comprised of circuitry and a microprocessor for executing instructions); and operational software executable by the at least one processor, the operational software causing the at least one processor to produce the parameters for configuring the information transmission device based upon the information requesting setup of a call (col. 6 lines 59-63; CCP generates information during the call set up to indicate to the system of the type the system is and its processing capabilities) (col. 7 lines 54-63; CCP configures service options element 210 after the determination of the type of the system and its processing capabilities (col. 6 lines 47-65)), the information transmission device thereby communicatively coupling one of a plurality of communication networks to another of the plurality of communication networks (see Fig. 2).

(emphasis in original)

Based upon the above, Applicants respectfully submit that the Office has not specifically identified the aspects of Ziv that corresponds to Applicants' claimed "communication system controller" and "interface circuitry." Based upon the above, however, Applicants understand the Office to be identifying the "Call Control Processor (CCP) 206" and "service options element 210" as teaching Applicants' claimed

"communication systems controller" and "information transmission device," respectively. Applicants are unable to determine what, if any element of Ziv, is alleged as teaching the claimed "interface circuitry." **Applicants respectfully request that any future Office action, should one be forthcoming, clearly and specifically identify the portions and elements of the cited art that are alleged to teach each and every element of Applicants' claim, including supporting text identified by column or paragraph and line(s), together with an explanation of why the cited portions/elements are interpreted by the Office to teach Applicants' claim elements, so that the Applicants are provided with a fair opportunity to respond.**

Applicants now address the specifics of the rejection, beginning with the portion of claim 22 that recites "interface circuitry for communicating, with an information transmission device, information requesting setup of a call." The Office cites Ziv at col. 8, lines 26-27, stating "CCP signals the system 101 during call setup requested by a subscriber to initiate a telephone call." Ziv identifies ref. 101 as a "digital wireless telephone system 101." See *id.* at col. 5, lines 4-5. Applicants respectfully submit that the "Call Control Processor (CCP) 206" and "service options element 210" seemingly asserted by the Office as teaching Applicants' claimed "communication systems controller" and "information transmission device," respectively, are both elements of "digital wireless telephone system 101." Applicants also respectfully submit that Ziv at FIG. 2 or cited col. 8, lines 26-27 does not teach that the "CCP 206," which Applicants understand is being asserted as teaching Applicants' claimed "communication system controller," communicates with the "service options element 210," which Applicants understand is being asserted as teaching Applicants' claimed "information transmission device." Applicants respectfully submit that FIG. 2 of Ziv, which is described by Ziv as "a block diagram of a digital wireless telephone system 101(A)" does not show a line suggesting direct communication between the "CCP 206" and the "service options element 210," and the Office has not shown where Ziv teaches communication between "CCP 206" and "service options element 210," in the manner of claim 22. Therefore, Applicants respectfully submit that the Office has not shown that Ziv teaches "[a] communication system controller comprising: interface circuitry for communicating, with an information transmission device, information requesting setup of a call and

parameters for configuring the information transmission device,” as recited by claim 22. Applicants further respectfully submit that the Office, therefore, has not demonstrated that a single reference teaches each and every element of claim 22, as required by M.P.E.P. §2131, and that claim 22 is allowable over the cited art for at least this reason. Applicants believe that claim 22 is allowable for at least an additional reason.

Applicants respectfully submit that claim 22 also recites, in part, “wherein the parameters for configuring the information transmission device comprise information specifically related to the conversion, by the information transmission device, of digitized voice information into an analog voice signal, and of an analog voice signal into digitized voice information.” The Office rejects these aspects of claim 22 citing Ziv at col. 5, lines 56-69, col. 6, lines 47-65, and col. 7, lines 54-63. Applicants now address each cited portion of Ziv, beginning with col. 6, lines 56-69, which the Office asserts teaches “the element 210 is configured for conversion between vocoded data and tone.” Ziv at col. 5, lines 50 to col. 6, line 3, which includes the cited portion at col. 5, lines 56-69, however, teaches the following:

Once a telephone call between two wireless subscriber units is established, digital wireless telephone system 101(A) monitors wireless subscriber unit 100(A) for requests to initiate a conference call. If such a request is received, the processing of the telephone call is altered. If the telephone call is with a wireless subscriber unit 100 that is part of a different digital wireless telephone system 101, the vocoded data from each wireless subscriber unit 100 is converted into analog data format within the two digital wireless telephone systems 101, instead of into PCM formatted tones. The analog data from the two wireless subscriber units 100 is then combined within digital wireless telephone system 101(A). If the call is between two wireless subscriber units 100 that are part of the digital wireless telephone system 101(A), the vocoded data from each wireless subscriber unit 100 is converted into analog format and combined within digital wireless telephone system 101(A). Once the data is combined, the summed data is revocoded and transmitted back to each of the wireless subscriber units. This causes double vocoding, but allows wireless telephone system 101(A) to provide the feature of conference calling to its subscribers.

(emphasis added)

Applicants respectfully submit that neither the cited portion of Ziv, shown underlined above, nor the surrounding context, makes any mention of "service options element 210," which the Office seemingly identified as teaching Applicants' "claimed information transmission device." Further, the cited portion and its surrounding context fails to make any mention of "parameters" for configuring an "information transmission device," let alone "parameters" that comprise information specifically related to conversion, by such an "information transmission device," of "digitized voice information" into an "analog voice signal" and of an "analog voice signal" into "digitized voice information," in accordance with claim 22. Thus, for at least the reasons set forth above, Applicants respectfully submit that the cited portion of Ziv at col. 5, lines 56-69 does not teach, at least, the feature of Applicants' claim 22 that recites "wherein the parameters for configuring the information transmission device comprise information specifically related to the conversion, by the information transmission device, of digitized voice information into an analog voice signal, and of an analog voice signal into digitized voice information." Applicants now address Ziv at cited col. 6, lines 47-65, which are shown in context and underlined, below:

In an exemplary telephone call, a request to initiate the telephone call including a telephone number from wireless subscriber unit 100(A) is transmitted through the first RF link to BTS 200(A) and CIS 202 to call control processor (CCP) 206. (CCP) 206 determines based on the telephone number whether the telephone call is directed to another wireless subscriber unit 100 and whether that wireless subscriber unit 100 is part of the same wireless telephone system as the originating wireless subscriber unit 100. In the preferred embodiment, these determinations are made using HLR 207 which is a data base stored within a memory system. The HLR stores and tracks the telephone numbers and other associated information of subscribers to the wireless telephone service, and may be located within base station controller 250 as shown, or at a remote location coupled to CCP 206 via high speed network connection. CCP 206 may also make this determination by generating an information request message, preferably during the call set up, directed to the receiving telephone system to indicate what type of system it is, and the telephone system's signal processing capabilities. This second method of determining

is preferred where the receiving telephone system is not part of the same wireless telephone service provider.

(emphasis added)

Applicants respectfully submit that the cited portion of Ziv shown above does not even mention the "service options element 210," which the Office seemingly identified as teaching Applicants' claimed "information transmission device." Moreover, the cited portion and its surrounding context fails to make any mention of "parameters" for configuring an "information transmission device," or "parameters" that comprise information specifically related to conversion, by such an "information transmission device," of "digitized voice information" into an "analog voice signal" and of an "analog voice signal" into "digitized voice information," in accordance with claim 22. Thus, the cited portion of Ziv at col. 6, lines 47-65 also does not teach, at least, the feature of Applicants' claim 22 that recites "wherein the parameters for configuring the information transmission device comprise information specifically related to the conversion, by the information transmission device, of digitized voice information into an analog voice signal, and of an analog voice signal into digitized voice information." Applicants now address the remaining cited portion of Ziv at col. 7, lines 54-63, which is reproduced in context and underlined, below:

If CCP 206 determines that the call request from wireless subscriber unit 100(A) is directed to a wireless subscriber unit 100 that is part of a different wireless telephone system, such as a digital wireless telephone system 101(B) (FIG. 1), it configures selector element bank 204 to route vocoded data from wireless subscriber unit 100(A) to service options element 210. Additionally, CCP 206 configures service options element 210 to convert that vocoded data into tones that are introduced into PSTN interface 212 which forwards the data to local PSTN 102(A) of FIG. 1. CCP 206 also notifies the receiving wireless telephone system during call setup that the data will be delivered in tone format so that the receiving wireless telephone system may prepare to demodulate the data accordingly.

(emphasis added)

Although the cited portion of Ziv shown above provides some details about "service options element 210," which the Office seemingly identified as teaching Applicants' claimed "information transmission device," it does not teach, suggest, or disclose that the "service options element 210" converts "digital voice information" to an "analog voice signal," or an "analog voice signal" to "digital voice information," in accordance with claim 22. In addition, the cited portion and its surrounding context fails to make any mention of "parameters" for configuring an "service options element 210," let alone "parameters" that comprise information specifically related to conversion by the "service options element 210" of "digitized voice information" into an "analog voice signal" and of an "analog voice signal" into "digitized voice information," in accordance with claim 22. Instead, the cited portion of Ziv shown above simply states that "CCP 206 configures service options element 210 to convert that vocoded data into tones that are introduced into PSTN interface 212 which forwards the data to local PSTN 102(A) of FIG. 1." Applicant respectfully submits that Ziv teaches that such "tones" are received by "PSTN interface 212" as "pulse code modulated (PCM) [digital] data," not "analog voice signals." See, e.g., col. 7, lines 46-48. Applicants respectfully submit that "PCM data" is quite different from and does not teach, suggest, or disclose an "analog voice signal."

Thus, for at least these reasons, Applicants respectfully submit that the cited portion of Ziv at col. 6, lines 47-65 also does not teach at least the feature of Applicants' claim 22 that recites "wherein the parameters for configuring the information transmission device comprise information specifically related to the conversion, by the information transmission device, of digitized voice information into an analog voice signal, and of an analog voice signal into digitized voice information."

Applicants have now shown that the cited portions of Ziv at col. 5, lines 56-69, col. 6, lines 47-65, and col. 7, lines 54-63 do not teach, at least, "parameters for configuring the information transmission device, wherein the parameters for configuring the information transmission device comprise information specifically related to the conversion, by the information transmission device, of digitized voice information into an analog voice signal, and of an analog voice signal into digitized voice information," as asserted by the Office. Therefore, the Ziv reference does not teach each and every

element of claim 22, and therefore does not anticipate claim 22, for at least these additional reasons.

Applicants' claim 22 also recites, in part, "operational software causing the at least one processor to produce the parameters for configuring the information transmission device based upon the information requesting setup of a call." The Office rejects this portion of claim 22 over Ziv at col. 6, lines 59-63 and col. 7, lines 54-63. Applicants have addressed those cited portions of Ziv, above, and have shown that Ziv at col. 6, lines 47-65 (which includes cited lines 59-63), and its surrounding context, fails to make any mention of "parameters" for configuring an "information transmission device." Further, no mention is made of "parameters" that comprise information specifically related to conversion by an "information transmission device" of "digitized voice information" into an "analog voice signal" and of an "analog voice signal" into "digitized voice information," in accordance with claim 22. Applicants have also demonstrated that Ziv at col. 7, lines 54-63, and the surrounding context, fail to make any mention of "parameters" for configuring an "information transmission device." The cited portion also fails to teach, suggest, or disclose "parameters" that comprise information specifically related to conversion by an "information transmission device" of "digitized voice information" into an "analog voice signal" and of an "analog voice signal" into "digitized voice information," in accordance with claim 22. Therefore, Applicants respectfully submit that the Office has not established a *prima facie* case of anticipation, has not shown that Ziv teaches each and every element of claim 22, and that Ziv therefore does not anticipate claim 22, for at least these additional reasons.

Therefore, based at least upon the above, Applicants respectfully submit that the Office has not shown that Ziv teaches each and every element of claim 22, as required by M.P.E.P. §2131, that claim 22 is not rendered unpatentable by Ziv, and that claim 22, and any claims that depend therefrom, are allowable over Ziv. Because claims 23-40 and 42-46 depend from claim 22, Applicants respectfully submit that those claims are also allowable over Ziv.

With regard to claim 36, Applicants respectfully submit that claim 36 recites, in part, "[t]he controller of claim 34 wherein the routing is based upon predefined call

routing information.” The Office rejects claim 36 citing Ziv at col. 4, lines 29-34, asserting “call is directed based on telephone number in the call request.” The cited portion of Ziv at col. 4, lines 29-34 simply states, “[i]n an exemplary call initiated by wireless subscriber unit 100(A), call request information including a telephone number is transmitted to digital wireless telephone system 101(A). Based on this call request information digital wireless telephone system determines the type of a subscriber unit and associated telephone system to which the call is directed.” Applicants respectfully submit that Ziv teaches that the “digital wireless telephone system” of Ziv determines “the type of subscriber unit” and the “associated telephone system to which the call is directed.” Applicants respectfully submit that a “telephone number” is simply an identifier of a call destination or “called party,” but does not represent a call route or act as “predefined call routing information.” Further, Ziv fails to make any mention of any “call routing information” that is “predefined,” and the Office has failed show any support for a perceived assertion that a “telephone number” teaches “predefined call routing information.” Therefore, for at least these reasons, Applicants respectfully submit that the Office has not shown how and why the cited portion of Ziv at col. 4, lines 29-34 teaches each and every element of Applicants’ claim 36, that Ziv does not anticipate claim 36, and that claim 36 is therefore allowable over Ziv.

With regard to dependent claim 45, Applicants respectfully submit that claim 45 recites, in part, “[t]he controller of claim 22 wherein the interface circuitry is capable of communicating digitized voice information with the information transmission device.” The Office rejects claim 45 over Ziv at col. 7, lines 37-46, which is reproduced below:

If CCP 206 determines that the call from wireless subscriber unit 100(A) is not directed to another wireless subscriber unit, but is directed to a wire based subscriber unit 106, such as wire based subscriber unit 106(A) of FIG. 1, it allocates and configures a selector resource within selector element bank 204 to forward vocoded data from wireless subscriber unit 100(A) to service options element 210. Service options element 210 is configured by CCP 206 to devocode the vocoded data and to place the devocoded data into PCM format. The PCM formatted data is passed into PSTN interface 212 which introduces the PCM formatted data into local PSTN 102(A) (FIG. 1). PSTN 102(A) routes the data to wire based subscriber unit 106(A).

On the reverse path, PCM formatted data from the wire based subscribed unit 106 received through PSTN interface 212 is placed into vocoded format by service options element 210 and then routed to wireless subscriber unit 100(A).

In addition, the Office asserts that the "CCP communicates vocoded data [sic] with service options element 210." Applicants respectfully submit that, as noted above, the Office did not specifically identify in Ziv the teachings that allegedly correspond to Applicants' claimed "interface circuitry." Therefore, Applicants cannot fairly respond. However, while the cited portion of Ziv states that "[s]ervice options element 210 is configured by CCP 206 to devocode the vocoded data and to place the devocoded data into PCM format," the cited portion of Ziv shown above does not teach, suggest, or disclose that the "CCP 206" communicates "vocoded data" with "service options element 210," in accordance with claim 45. Instead, Ziv teaches "CCP 206" configuring "service options element 210," which is quite different and does not teach, suggest, or disclose Applicants' claim 45. Therefore, Applicants respectfully submit that the Office has not shown that Ziv teaches each and every element of claim 45, has not shown that Ziv anticipates claim 45, and that claim 45 is independently allowable over Ziv, for at least the reasons set forth above.

With regard to dependent claim 46, Applicants respectfully submit that claim 46 recites, in part, "[t]he controller of claim 22 wherein the communication system controller and the information transmission device are located within the same housing." The Office cites FIG. 2 of Ziv as teaching all elements of claim 46. Applicants respectfully submit, however, that FIG 2 of Ziv is simply a "a block diagram of a digital wireless telephone system 101(A)," and that FIG. 2 does not teach, suggest, or disclose that the "CCP 206" and "service options element 210," which the Office has seemingly identified as teaching Applicants' claimed "communication system controller" and "information transmission device," respectively, are in fact located within the same housing, as required by claim 46. Therefore, Applicants respectfully submit that Ziv at FIG. 2 and ref. 210 of FIG. 2 do not teach, suggest, or disclose each and every element of claim 46, that claim 46 is not anticipated by Ziv, and that claim 46 is independently allowable over Ziv, for at least these reasons.

With regard to independent claim 47, Applicants respectfully submit that claim 47 recites features similar in many ways to those of claim 22, and is rejected over the same art, for many of the same reasons asserted in the rejection of claim 22. Applicants therefore respectfully submit that claim 47, and its dependent claims, are allowable over Ziv for at least some of the reasons set forth above with respect to claim 22.

With regard to dependent claim 59, Applicants respectfully submit that claim 59 recites, in part, “[t]he controller of claim 47 wherein the call routing information comprises at least one association of a destination address and a call route.” The Office rejects claim 59 over Ziv at col. 4, lines 30-34, asserting that Ziv teaches “call is routed using the telephone number and type of subscriber to be directed to.” *See* Office action at page 7. Ziv at col. 4, lines 30-34, however, teaches:

In an exemplary call initiated by wireless subscriber unit 100(A), call request information including a telephone number is transmitted to digital wireless telephone system 101 (A). Based on this call request information digital wireless telephone system determines the type of a subscriber unit and associated telephone system to which the call is directed.

The cited portion of Ziv simply teaches that the “digital wireless telephone system” of Ziv determines the “type of a subscriber unit” and an “associated telephone system” to which a call is directed. Applicants respectfully submit that a “telephone number” is an identifier of a “called party” or subscriber, and that Ziv fails to mention anything about an “association” between a “telephone number” and a “call route” or “call routing information.” Applicants respectfully submit that the Office has not shown that a “telephone number” or a “type of subscriber” teaches a “call route” or “call routing information,” as claimed. Therefore, Applicants respectfully submit that the Office has not shown that Ziv teaches each and every element of claim 59, that Ziv does not anticipate claim 59, and that claim 59 is independently allowable over Ziv.

With regard to independent claim 60, Applicants respectfully submit that claim 60 recites features similar in many ways to those of claim 22 and 47, and is rejected

over the same art, for many of the same reasons asserted in the rejection of claims 22 and 47. Applicants therefore respectfully submit that claim 60, and its dependent claims, are allowable over Ziv for at least some of the reasons set forth above with respect to claim 22 and 47.

II. The Proposed Combination of Ziv And Lev Does Not Render Claims 24-26, 50-51, And 62-63 Unpatentable

Claims 24-26, 50-51, and 62-63 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ziv in view of Lev. Applicants respectfully traverse the rejection. Claims 24-26, 50-51, and 62-63 depend, respectively, from claims 22, 47, and 60. Applicants respectfully submit that claims 22, 47, and 60 are allowable over the cited art, in that the Office has not demonstrated that Lev remedies the shortcomings of Ziv set forth above. Because claims 22, 47, and 60 are allowable over the cited art, Applicants respectfully submit that claims 24-26, 50-51, and 62-63 that depend therefrom are also allowable, for at least the same reasons. Accordingly, Applicants respectfully request that the rejection of claims 24-26, 50-51, and 62-63 under 35 U.S.C. §103(a) be reconsidered and withdrawn.

III. The Proposed Combination of Ziv And Henley Does Not Render Claims 30, 44, And 56 Unpatentable

Claims 30, 44, and 56 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ziv in view of Henley. Applicants respectfully traverse the rejection. Claims 30 and 44, and claim 56 depend, respectively, from claims 22 and 47. Applicants respectfully submit that claims 22 and 47 are allowable over the cited art, in that the Office has not demonstrated that Henley remedies the shortcomings of Ziv set forth above. Because claims 22 and 47 are allowable over the cited art, Applicants respectfully submit that claims 30, 44, and 56 that depend therefrom are also allowable, for at least the same reasons.

With further regard to dependent claim 44, Applicants respectfully submit that claim 44 recites, in part, “[t]he controller of claim 22 wherein the operational software is capable of reducing the quantity of digitized voice information communicated via the

information transmission device, by changing the packetization of digitized voice information when voice activity on one of the plurality of communication networks falls below a predetermined level.” The Office admits that Ziv does not teach “reducing the quantity of digitized voice information communicated via the information transmission device, by changing the packetization of digitized voice information when voice activity on one of the plurality of communication networks falls below a predetermined level.” See Office action at page 11. The Office then turns to Henley, citing col. 5, line 65 to col. 6, line 5. The cited portion of Henley, however, teaches the following:

The system of the present invention further comprises a decimation circuit for deleting audio data from a designated location of the buffer to thereby shorten the portions of the stream of audio data in the buffer. The decimation circuit addresses the circumstance in which the length of the buffer increases during reception of audio data from the backbone. This happens when data are read from the buffer slower than they are written to the buffer.

Applicants respectfully submit that Henley teaches that any “deleting of audio data” happens “when data are read from the buffer slower than they are written to the buffer.” Applicants’ claim recites, however, that “reducing the quantity of digitized voice information communicated via the information transmission device, by changing the packetization of digitized voice information” happens “when voice activity on one of the plurality of communication networks falls below a predetermined level.” Applicants respectfully submit that a teaching of “deleting of audio data” when “data are read from the buffer slower than they are written to the buffer” is quite different from and does not teach, suggest, or disclose, at least, Applicants’ claim feature “changing the packetization of digitized voice information” when “voice activity on one of the plurality of communication networks falls below a predetermined level.” Applicants respectfully submit that Henley teaches deleting data at a time when the rate at which data is written to the buffer is greater than the rate at which data is read/removed from the buffer, that is, during activity that is at a higher level than is able to be processed (i.e., read from the buffer). Applicants’ claim reduces the quantity of “digitized voice information” when “voice activity” on a communication network falls below a predetermined level. Applicants respectfully submit

that these conditions are clearly not equivalent. Therefore, Applicants respectfully submit that Henley does not remedy the admitted shortcoming of Ziv, that the cited art, taken alone or in combination, does not teach all aspects of Applicants' claim 44, that claim 44 is not rendered unpatentable by the cited art, and that claim 44 is independently allowable over the proposed combination of Ziv and Henley, for at least these reasons.

Accordingly, Applicants respectfully request that the rejection of claims 30, 44, and 56 under 35 U.S.C. §103(a) be reconsidered and withdrawn.

IV. The Proposed Combination of Ziv And Iwami Does Not Render Claims 33, 37-40, And 43 Unpatentable

Claims 33, 37-40, and 43 were rejected under 35 U.S.C. §103(a) as being unpatentable over Ziv in view of Iwami. Applicants respectfully traverse the rejection. Claims 33, 37-40, and 43 depend from claim 22. Applicants respectfully submit that claim 22 is allowable over the cited art, in that the Office has not demonstrated that Iwami remedies the shortcomings of Ziv set forth above. Because claim 22 is allowable over the cited art, Applicants respectfully submit that claims 33, 37-40, and 43 that depend therefrom are also allowable, for at least the same reasons. Accordingly, Applicants respectfully request that the rejection of claims 33, 37-40, and 43 under 35 U.S.C. §103(a) be reconsidered and withdrawn.

V. The Proposed Combination of Ziv And Barak Does Not Render Claim 35 Unpatentable

Claim 35 was rejected under 35 U.S.C. §103(a) as being unpatentable over Ziv in view of Barak. Applicants respectfully traverse the rejection. Claim 35 depends from claim 22. Applicants respectfully submit that claim 22 is allowable over the cited art, because the Office has not demonstrated that Barak remedies the shortcomings of Ziv set forth above. Because claim 22 is allowable over the cited art, Applicants respectfully submit that claim 35 that depends therefrom is also allowable, for at least the same reasons. Accordingly, Applicants respectfully request that the rejection of claim 35 under 35 U.S.C. §103(a) be reconsidered and withdrawn.

VI. The Proposed Combination of Ziv And Sharman Does Not Render Claim 42 Unpatentable

Claim 42 was rejected under 35 U.S.C. §103(a) as being unpatentable over Ziv in view of Sharman. Applicants respectfully traverse the rejection. Claim 42 depends from claim 22. Applicants respectfully submit that claim 22 is allowable over the cited art, because the Office has not demonstrated that Sharman remedies the shortcomings of Ziv set forth above. Because claim 22 is allowable over the cited art, Applicants respectfully submit that claim 42 that depends therefrom is also allowable, for at least the same reasons. Accordingly, Applicants respectfully request that the rejection of claim 42 under 35 U.S.C. §103(a) be reconsidered and withdrawn.

Conclusion

In general, the Office Action makes various statements regarding the claims and the cited references that are now moot in light of the above. Thus, Applicants will not address such statements at the present time. However, Applicants expressly reserve the right to challenge such statements in the future should the need arise (e.g., if such statements should become relevant by appearing in a rejection of any current or future claim).

Applicants believe that all of pending claims 22-40 and 42-69 are in condition for allowance. Should the Examiner disagree or have any questions regarding this submission, the Applicants invite the Examiner to telephone the undersigned at (312) 775-8000.

A Notice of Allowability is courteously solicited.

The Commissioner is hereby authorized to charge any fees required by this submission to the Deposit Account of McAndrews, Held & Malloy, Ltd., Account No. 13-0017.

Respectfully submitted,

Dated: April 4, 2011

By /Kevin E. Borg/
Kevin E. Borg
Agent for Applicants
Reg. No. 51,486

McAndrews, Held & Malloy, Ltd.
500 West Madison Street
34th Floor
Chicago, Illinois 60661
(312) 775-8000